AUG 1 2 1994

FEDERAL COMMUNICATIONS COMMISSION

OFFICE OF THE SECRETARY

July 20, 1994

The Honorable Reed Hundt, Chairman Federal Communications Commission 1919 M Street, N.W. Washington, D. C. 20554

Re: CC Docket #92-77

Dear Chairman Hundt:

I am writing to voice my concerns about the proposed Billed Party Preference regulation. The correctional facility inmate phone industry would be severely jeopardized by BPP, affecting inmates, their families and the criminal justice system as a whole. For this reason, we are asking that inmate calls be exempt from the proposed BPP regulation.

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Dusiness Manager State Training School Eldara, Jowa

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Sheriff Monitean County, Missouri

102 E. NORTH

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CALIFORNIA, MO. 65018

Kennett C. Jones,

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Charles E. Griggs, Sheriff

702 1st Ave. So

50501 Fort Dodge, Iowa

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DICK SNYDER

JAIL ADMINISTRATOR

DELAWARE COUNTY, MANCHESTER, IOWA

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FEDERAL COMMUNICATIONS COMMISSION

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## PUEBLO COUNTY SHERIFF'S DEPARTMENT Dan L. Corsentino, Sheriff

July 1, 1994

the Honorable Reed F. Hundt Federal Communications Commission 1919 M. Street, N. V. O. Washington, D.C. 20554

Dear Honorable Bundt:

RE: CC Docket No. 92-77

I strongly oppose the Billed Part Preference (BPP). As facility administrator, I oppose any federal effort that infringes on our ability to provide our immates an effective phone system and the funding of other important immate programs.

It is our responsibility for ensuring that our provider charges reasonable rates. The BPP would effectively strip this facility of our responsibility of the welfare of our inmates, and that would be a more complex, costly and ineffective way of handling rate monitoring.

Sincerely.

Dan Corsentino

Sher ff

Woe Carere

Facility Administrator



### City of Pueblo

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JAMES P. ELWOOD, A.A.E.
Director of Aviation

FCCut

(719) 948-3355 (719) 948-3361

July 20, 1994

Mr. W. Caton Acting Secretary Federal Communications Commission 1919 M Street Room 222 Washington, D.C. 20554

RE:

Docket #92-77

Dear Mr. Caton:

It is our understanding that the Federal Communications Commission (FCC) is once again pursuing the Billed Party Preference (BPP) in regard to long distance telephone service. We ask that the FCC please consider the following comments of the Pueblo Airport:

- The projected cost identified in the Notice of Proposed Rulemaking appears to be incomplete in regard to the cost to the consumer. For example, the Pueblo Airport currently collects commission revenues on pay phone long distance calls made by the users of the airport. The loss of these commissions would force the airport to make up these revenues in other ways which would ultimately be an expense incurred by the consumer. We have serious concerns that the true cost to the consumer has not been fully studied.
- 2) The implementation of BPP will likely result in a longer waiting period for the customer's call to connect.
- 3) The purpose of BPP has limited advantage to the customer since pay phone users have accepted the dial-around option.

We believe that Billed Party Preference is unneeded and unnecessary and has limited advantage to the customer. At airports, it will result in an increase in other products and services to the customer to make up for lost long distance pay phone commissions. We strongly urge the FCC to reject BPP and not try to fix a system that is not broken.

Thank you for your consideration in this matter.

Respectfully

James P. Elwood, A.A.E.

Director of Aviation

JPE:cd

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August 1, 1994

AUG 1 2 1994

The Honorable Reed E. Hundt, Chairman Federal Communications Commission 1919 M Street, NW Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

DOCKET FILE COPY ORIGINAL

Dear Chairman Hundt:

We are opposed to the application of Billed Party Preference (BPP) at immate facilities.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

We have also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints that we are under, we cannot afford to provide this equipment without the help of immate phone service providers. BPP would also examinate the revenue stream that finances our inmate phones. If BPP is applied to inmate facilities, there will be no way for as to finance these phones, nor will there be inmate phone service providers to assist us. Without inmate whomes, the morale of our inmates will be devastated. The resulting increase in tension will make it more difficult for our staff to manage inmates.

Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed we believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security decisions — decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted,

Geonard Fafel, Business Manager
Name/Titie

Name of Correctional Facility
F.O. Box 565
Billerica, MA 01821
Address

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The Honorable Reed E. Hundt, Chairman Federal Communications Commission 1919 M Street, NW Washington, D.C. 20554 RECEIVED

AUG 1 2 1994

FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY

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Respectfully submitted,

GIL RAYMER, JAILER

Name/Title

WARREN COUNTY REGIONAL JAIL

Name of Correctional Facility

920 KY ST.

Address

BOWLING GREEN

KY

42101

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August 1, 1994

The Honorable Reed E. Hundt, Chairman Federal Communications Commission 1919 M Street, NW Washington, D.C. 20554 COLOREGE SECTION

AUG 1 2 1994

FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY

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Respectfully submitted,

Daniel 1. Collier, Interim Director
Name/Title

Kershaw County Detention Center

Name of Correctional Facility

1114 CHURCH STREET, CAMDEN, S.C. 29020
Address

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The Honorable Reed E. Hundt, Chairman Federal Communications Commission 1919 M Street, NW Washington, D.C. 20554

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REDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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Respectfully submitted,

Linda G. M. Dive Chief Jailor

Taga sell (

Vame of Correctional Facility

Address

24651

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FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY

July 20, 1994

cc Doc-92-77

The Honorable Reed Hundt Federal Communications Commission 1919 M Street NW Washington DC 20554 Lee Triplett 502 Olney Brice San Antonio, TX 78209

Dear Representative Hundt:

As both an employee in the communications industry and a tax paying citizen, I am stating my strong **opposition** to *Billed Party Preference (BPP)* for 0 + Calls. Further, I respectively request your support in ensuring that Communications Commission Docket 92-77 is defeated.

Confinement facilities are unique and, as such, they require specialized phone system equipment. These systems permit a facility to block an inmate's call to specific numbers, block undesired inbound calls, prevent three-way calling and, overall, reduce fraud and other criminal activity. All of these capabilities are inherent in the equipment which means that, for the most part, intervention by administrative personnel is not required and that the maintenance of security is not jeopardized.

A highly competitive market dictates that the technically sophisticated equipment be installed at little or no cost to the facility and that the provider's commissions be paid to the facility. The commissions facilities receive are a major source of revenue for the inmate welfare funds which finance inmate programs such as family visitation, education and rehabilitation programs. Thus, many of the positive aspects of incarceration are actually being paid for by the inmates.

Succinctly put, most, if not all, of the positive factors derived from the current way of doing business will be discarded if Billed Party Preference becomes a reality. The industry would be going back to the period prior to 1987 when few correctional facilities in the country were paid commissions and many had to pay for their inmate phone service. From a financial point of view, it could be a disaster. Local telephone and long distance companies would no longer have to pay commissions because there would be no competition. Without commissions, facilities would have to turn to their governing body and taxpayers and compete for already scarce resources. Inmate morale funding would be decreased and attended by an increase in inmate control problems. Who would pay for the inmate phone equipment necessary to control calls and prevent fraud and abuse? Again, facilities would have to turn to government sources. Cutting existing programs or increasing taxes would be the requirement to balance budgets. With inmate populations growing at rates estimated from 10 to 15 percent per year, inmate populations could increase by 40 percent by the end of the century. This, of course, will mandate an increase in the number of facilities and manpower to administer them. More inmates and facilities will necessitate more non-revenue producing inmate phone systems if BPP were approved for correctional facilities.

I appeal for your support in **defeating Communications Commission Docket 92-77** with the saying, "If it ain't broke, don't fix it!" Even though inmate phone service is not perfect, a competitive market helps ensure that improvement continues.

Sincerely,

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The Honorable Reed E. Hundt, Chairman Federal Communications Commission 1919 M Street, NW Washington, D.C. 20554 RECEIVED

AUG 1 2 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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Respectfully submitted,

Name/Title

Name of Correctional Facility

Address

23/280

Jally Wilse FEDERAL COMMUNICATIONS COMMISSION
JO951 Laureate Dr. #1908
San Contonio /TX 78249

July 20, 1994

The Honorable Reed Hundt Federal Communications Commission 1919 M Street NW Washington DC 20554 DOCKET FILE OUR Y ORIGINA

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Sincerely,

Sally welge

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JULY 20, 1994

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OFFICE OF THE SECRETARY
FEDERAL COMMUNICATIONS COMMISSION
1919 M. STREET, N.W.
WASHINGTON, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY

92.77

## RE: BILLED PARTY PREFERENCE FOR INMATES

PRIOR TO OUR CHANGING OUR TELEPHONES TO "CONTROLLED INMATE CALLING," OUR FAMILIES AS WELL AS OTHER FAMILIES WERE SUBJECT TO ABUSIVE CALLS. I ALSO RECEIVED MANY CALLS FROM IRATE CITIZENS WHO HAD RECEIVED THEIR TELEPHONE BILLING WITH HUNDREDS OF DOLLARS OF LONG DISTANCE CALLS CHARGED TO THEIR PHONES. THEIR COMPLAINTS TO THE LOCAL TELEPHONE COMPANIES ALWAYS POINTED TO THE JAIL. THE LOCAL TELEPHONE COMPANY ITSELF, LOST THOUSANDS OF DOLLARS IN REVENUE BY INMATES BY-PASSING THE SYSTEM. WHEN WE WENT TO CONTROLLED INMATE BILLING, ALL THE ABUSES MENTIONED WERE TERMINATED.

OUR "CONTROLLED INMATE CALLING" IS LET OUT ON A "BID BASIS" AND PART OF THE BID REQUIREMENT IS THAT THE PHONE CHARGES CAN BE NO MORE THAN CHARGED BY THE LOCAL AND LONG DISTANCE PHONE COMPANIES, WHO HAVE ALREADY FILED THEIR RATES WITH THE LA. PUBLIC SERVICE COMMISSION PLUS THE "CONTROLLED INMATE CALLING COMPANIES MUST BE APPROVED BY THE COMMISSION TO OPERATE IN OUR STATE, ELIMINATING EXCESSIVE BILLING OF THE INMATES.

THE MONIES GENERATED ARE RETURNED TO THE INMATES IN PROVIDING FOR THEIR BASIC NEEDS. TO RETURN TO THE OLD SYSTEM WOULD NOT BE THE PRUDENT THING TO DO.

MY QUESTION TO THE "INMATE CONTROLLED CALLING" COMPANIES WAS; WHY ARE THERE S MANY OF YOU IN THIS BUSINESS? THEIR ANSWER IS BECAUSE WE CAN PROVIDE THE SAME SERVICE AS THE LOCAL AND LONG DISTANCE COMPANIES BUT AT A LOWER COST.

OUR JOB IS TOUGH ENOUGH, PLEASE DON'T MAKE IT ANY TOUGHER THAN IT ALREADY IS TO PERFORM.

E. T. MUNGOVAN, WARDEN ST. TAMMANY PARISH JAIL

P. O. BOX 908

COVINGTON, LOUISIANA 70434

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ETM/cc

**DEPARTMENT OF GENERAL SERVICES** 

## TELECOMMUNICATIONS DIVISION

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AUG 1 2 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

July 29, 1994

The Honorable Reed Hundt, Chairman Federal Communications Commission 1919 M Street N.W. Washington, D.C. 20554

Dear Chairman Hundt:

LETTER IN SUPPORT OF THE POSITIONS OF THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND THE CALIFORNIA YOUTH AUTHORITY REGARDING DOCKET 92-77, BILLED PARTY PREFERENCE

The Department of General Services, Telecommunications Division (hereinafter TD) is writing to you to express our support of the positions of the California Department of Corrections and the California Youth Authority regarding Billed Party Preference (BPP). The TD has the overall responsibility for the development and management of all telecommunications matters relating to California State Government, and as such is deeply concerned with the impact of Billed Party Preference and the attendant difficulties that the instant proceeding may foster.

The TD has spent a great deal of time in the development of a "Master Services Agreement" that would provide the most efficient, secure and economically feasible plan to offer pay telephone services to the general public that use state facilities as well as a program that would serve the needs of correctional and law enforcement entities within the State. As a result of our efforts, a contract was awarded to MCI Corporation and GTE Corporation for the provision of these services on a statewide basis, which provides a high degree of security and fraud protection.

In the course of development of a statewide pay telephone service, the TD was extremely sensitive to the amount of fraud and abuse that has plagued this portion of the industry. Of particular concern was the amount of fraud and abuse that emanated from correctional facilities within California. As a result of our efforts we have been able to dramatically reduce the incidence of fraud, abuse and harassing and threatening telephone calls that were placed to victims, witnesses and other individuals from correctional center inmates.

During our development process, it also became clear that few of the Operator Service Providers (OSP) could offer the level of protection and fraud prevention which was requested. With this in mind, the TD is extremely concerned that if BPP is instituted as it is currently proposed, the State would now lose the ability to reduce fraud and abuse. As a result, the TD supports the positions of the California Department of Corrections and the

No. of Copies rec'd\_\_\_ List ABCDE California Youth Authority that correctional institutions be exempt from offering BPP from telephones routinely used by inmates and wards.

In the past, the Federal Communications Commission has been extremely sensitive to the issue of toll fraud and abuse. California State Government shares those concerns and supports those efforts, and urges the Commission to carefully consider the potential for fraud and abuse if a universal system of security can not be offered by all OSPs under Billed Party Preference.

We look forward to working further with the Commission on these issues. If our office can provide you any assistance, or you desire further information, please do not hesitate to contact Mr. Scoop Sairanen at (916) 657-9166.

Sincerely,

ALLAN G. TOLMAN, Chief

Telephone and Network Services

AGT:AAS:pr